

ITEM NO.501

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No. 494/2012

JUSTICE K.S. PUTTASWAMY (RETD) & ANR.

Petitioners

VERSUS

UNION OF INDIA & ORS.

Respondents

(IA No.141212/2017-impleading party and IA No.141215/2017-CLARIFICATION/DIRECTION and IA No.5311/2018-impleading party and IA No.5312/2018-CLARIFICATION/DIRECTION and IA No.5890/2018-INTERVENTION APPLICATION and IA No.10105/2018-INTERVENTION APPLICATION and IA No.10355/2018-impleading party and IA No.13628/2018-impleading party and IA No.24406/2018-INTERVENTION APPLICATION)

WITH

T.C.(C) No. 151/2013 (XVI-A)

T.C.(C) No. 152/2013 (XVI-A)

W.P.(C) No. 833/2013 (PIL-W)

W.P.(C) No. 829/2013 (PIL-W)

(and IA No.22171/2018-INTERVENTION APPLICATION and IA No.22174/2018-PERMISSION TO APPEAR AND ARGUE IN PERSON)

T.P.(C) No. 1797/2013 (XVI-A)

W.P.(C) No. 932/2013 (PIL-W)

T.P.(C) No. 1796/2013 (XVI-A)

CONMT.PET.(C) No. 144/2014 In W.P.(C) No. 494/2012 (PIL-W)

T.P.(C) No. 313/2014 (XVI-A)

T.P.(C) No. 312/2014 (XVI-A)

SLP(Cr1) No. 2524/2014 (II-A)

W.P.(C) No. 37/2015 (PIL-W)

W.P.(C) No. 220/2015 (PIL-W)

CONMT.PET.(C) No. 674/2015 In W.P.(C) No. 829/2013 (PIL-W)

T.P.(C) No. 921/2015 (XVI-A)

CONMT.PET.(C) No. 470/2015 In W.P.(C) No. 494/2012 (PIL-W)

W.P.(C) No. 231/2016 (PIL-W)

(FOR ON IA 1/2016 DIRECTION FOR ON IA 2/2016 - PERMISSION TO AMEND WRIT PETITION AND RAISING ADDITIONAL GROUNDS)

CONMT.PET.(C) No. 444/2016 In W.P.(C) No. 494/2012 (PIL-W)

CONMT.PET.(C) No. 608/2016 In W.P.(C) No. 494/2012 (PIL-W)

W.P.(C) No. 797/2016 (PIL-W)

(FOR PERMISSION TO FILE ANNEXURES ON IA 4/2016, FOR DIRECTIONS ON IA 5/2017, FOR STAY APPLICATION ON IA 6/2017)

CONMT.PET.(C) No. 844/2017 In W.P.(C) No. 494/2012 (PIL-W)

W.P.(C) No. 342/2017 (PIL-W)

(FOR INTERIM PRAYERS FOR GRANT OF INTERIM RELIEF ON IA 1/2017 and IA No.129017/2017-impleading party and IA No.129021/2017-

CLARIFICATION/DIRECTION and IA No.129027/2017-impleading party and IA No.129032/2017-CLARIFICATION/DIRECTION and IA No.1551/2018-impleading party and IA No.6537/2018-INTERVENTION APPLICATION and IA No.6666/2018-INTERVENTION APPLICATION)

W.P.(C) No. 372/2017 (X)

W.P.(C) No. 841/2017 (X)

(FOR ADMISSION and IA No.119235/2017-AMENDMENT OF THE PETITION)

W.P.(C) No. 1058/2017 (PIL-W)

W.P.(C) No. 966/2017 (PIL-W)

(FOR ADMISSION and IA No.102155/2017-GRANT OF INTERIM RELIEF)

W.P.(C) No. 1014/2017 (PIL-W)

(FOR ADMISSION and I.R. and IA No.107091/2017-GRANT OF INTERIM RELIEF and IA No.122999/2017-impleading party)

W.P.(C) No. 1002/2017 (PIL-W)

W.P.(C) No. 1056/2017 (X)

(and IA No.6196/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

CONMT.PET.(C) No. 34/2018 in W.P.(C) No. 1014/2017 (PIL-W)

(FOR ADMISSION)

Date : 13-03-2018 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioners

Mr. Arvind Datar, Sr. Adv.  
Mr. Apar Gupta, Adv.  
Mr. Deepayan Mandal, AOR  
Mr. Rahul Unnikrishnan, Adv.

Mr. K.V. Viswanathan, Sr. Adv.  
Ms. Vrinda Bhandari, Adv.  
Mr. N. Sai Vinod, Adv.  
Mr. Shadan Farasat, AOR

Mr. P. Chidambaram, Sr. Adv.  
Mr. Muhammad Ali Khan, Adv.  
Mr. Vikramaditya Singh, Adv.  
Mr. R.V. Prabhat, Adv.  
Mr. Omar Hoda, Adv.  
Mr. Gaurav Gupta, Adv.  
Mr. Abhishek Jebraj, Adv.  
Mr. Jaspal Singh, Adv.  
Mr. Rajesh Inamdar, Adv.  
Mr. Gautam Talukdar, AOR  
Ms. Prianka Rao Khan, Adv.  
Mr. Namrah Nasir, Adv.

Mr. K.V. Viswanathan, Sr. Adv.  
Ms. Vrinda Bhandari, Adv.  
Mr. Gautam Bhatia, Adv.  
Mr. N. Sai Vinod, Adv.  
Mr. T.V.S. Raghavendra Sreyas, AOR

Ms. Aishwarya Bhati, AOR  
Mr. Jaideep Singh, Adv.  
Mr. Anirben Sen, Adv.  
Mr. Gopal Thiruman, Adv.  
Mr. Pavan Bhushan, Adv.  
Mr. Jayavardhan Singh, Adv.  
Ms. Vaidruti Mishra, Adv.

Mr. Shyam Divan, Sr. Adv.  
Mr. Abhishek Atrey, AOR  
Mr. Ravinder Lokhande, Adv.

Mr. Arvind Datar, Sr. Adv.  
Dr. Anindita Pujari, Adv.  
Mr. Prasanna S., Adv.  
Mr. Kavita Bhardwaj, Adv.  
Ms. Ratna Apprender, Adv.  
Mr. Sautik Banerjee, Adv.

Mr. Amit Mohan Meharia, Adv.  
Mrs. Tannishtha Singh, Adv.  
Ms. Aishwarya Kumar, Adv.  
for M/s. Meharia & Company, AOR

Mrs. Geetha Kovilan, AOR  
Mr. P.R. Kovilan, Adv.  
Ms. Aswathi M.K., Adv.

Mr. Shyam Divan, Sr. Adv.  
Mr. Vipin Nair, AOR  
Mr. P.B. Suresh, Adv.  
Mr. Udayadita Banerjee, Adv.  
Mr. S. Prasanna, Adv.  
Ms. Samiksha Godiyal, Adv.  
Mr. Abhay Pratap Singh, Adv.  
Mr. V.K. Biju, Adv.  
Mr. Prithu Garg, Adv.  
Mr. Govind Manoharan, Adv.

Ms. Meenakshi Arora, Sr. Adv.  
Mr. Rahul Narayan, AOR  
Mr. Apar Gupta, Adv.  
Mr. Shashwat Goel, Adv.  
Ms. Garima Jain, Adv.

Mr. Anish Kumar Gupta, AOR

Mr. Avdhesh Kumar Gupta, Adv.  
Mr. Rajendra Kumar Singh, Adv.  
Mr. R.K. Rajwanshi, Adv.  
Mr. Chandra Shekhar Suman, Adv.  
Mrs. Rita Gupta, Adv.  
Ms. Deepshikha Bharati, Adv.  
Ms. Harsha, Adv.

M/s. K.J. John And Co, AOR  
Mr. Prashant Bhushan, AOR  
Ms. Jyoti Mendiratta, AOR  
Ms. Archana Pathak Dave, AOR  
Mr. Pranaya Kumar Mohapatra, AOR  
Mrs. Pragya Baghel, AOR  
Mr. Anando Mukherjee, AOR  
Mr. Chanchal Kumar Ganguli, AOR  
Petitioner-in-person

**For Respondents/  
Applicants**

Mr. K.K. Venugopal, ASG  
Mr. Harish V. Shankar, Adv.  
Mr. S.S. Shamsbery, Adv.  
Ms. Rukmini S. Bobde, Adv.  
Ms. Shraddha Deshmukh, Adv.  
Mr. Kumar Shashank, Adv.  
Mr. S.S. Rebello, Adv.  
Ms. Nivedita Nair, Adv.  
Ms. Sneha Prabhu Tendulkar, Adv.  
Mr. Rajat Nair, Adv.  
Mr. R. Balasubramanian, Adv.  
Mr. Zoheb Hossain, Adv.  
Mr. Raj Bahadur, Adv.  
Mr. Ankur Talwar, Adv.  
Ms. Adeeba Mujahid, Adv.  
Mr. Rajendra Dangwal, Adv.  
Mr. Piyush Goyal, Adv.  
Mr. Palash Maheshwari, Adv.  
Mr. Fahad Khan, Adv.  
Ms. Bhavita Kumar, Adv.  
Mr. Kanu Aggarwal, Adv.  
Mr. M.K. Maroria, Adv.

Mr. Arvind Datar, Sr. Adv.  
Mr. Nipun Saxena, Adv.  
Ms. Namit Saxena, Adv.  
Mr. Devanshu Sajlan, Adv.  
Mr. Aditya P. Arora, Adv.  
Mr. Digant K. Deo, Adv.  
Ms./Mr. Pallavi Pratap, AOR

Mr. Rakesh Dwivedi, Sr. Adv.  
Ms. Hemantika Wahi, AOR

Ms. Shodhika Sharma, Adv.  
Ms. Sanskriti Pathak, Adv.

Mr. Jayant Bhushan, Sr. Adv.  
Mr. Kuldeep S. Parihar, Adv.  
Mr. H.S. Parihar, AOR

Mr. J.S. Attri, Sr. Adv.  
Mr. Varinder Kumar Sharma, AOR

Mr. Nishe Rajen Shonker, Adv.  
Ms. Annu K. Joy, Adv.  
Mr. Manav Vohra, Adv.  
Mr. Krishna Dev J., Adv.  
Mr. Alim Anvar, Adv.  
Mr. Mohammed Sadique T.A., Adv.  
Ms. Svadha Shankar, Adv.  
Mr. Amith Krishnan, Adv.

Mr. Zoheb Hossain, AOR  
Ms. Rohini Musa, Adv.  
Mr. N.R. Katneshwarker, Adv.

Mr. G. Prakash, Adv.  
Mr. Jishnu M.L., Adv.  
Mrs. Priyanka Prakash, Adv.  
Mrs. Beena Prakash, Adv.  
Mr. Vijay Shankar V.L., Adv.

Mr. Priyadarshi Banerjee, Adv.  
Mr. Pratibhanu S. Kharola, Adv.  
Mr. Saransh Kumar, Adv.  
Mr. Saransh Jain, Adv.  
Mr. Madhavam Sharma, Adv.  
Mr. Meka Venkata Rama Krishna, Adv.

Mr. Ashok Mathur, AOR  
Mr. R. Sudhinder, Adv.  
Ms. Amrita Sarkar, Adv.

Mr. Raja Chatterjee, Adv.  
Mr. Adeel Ahmed, Adv.  
Mr. Soumitra G. Chaudhuri, Adv.  
Mr. Chanchal Kr. Ganguli, AOR

Mr. Guntur Prabhakar, AOR  
Ms. Prerna Singh, Adv.

Mr. Karan Bharihoke, Adv.

Ms. Radhika Chaturvedi, Adv.  
Mr. Hitesh Kumar Sharma, Adv.

Mr. S.K. Rajora, Adv.  
Dr. (Mrs.) Vipin Gupta, AOR

Mr. Tapesb Kumar Singh, AOR  
Mr. Mohd. Waquas, Adv.  
Mr. Aditya Pratap Singh, Adv.

Mr. Jayesh Gaurav, Adv.  
Mr. Ratan Kr. Choudhuri, Adv.

Mr. Ranjan Mukherjee, AOR  
Mr. S. Bhowmick, Adv.

Mr. Ranjan Mukherjee, AOR  
Mr. Daniel S. Lyngdoh, Adv.

Mr. Jatinder Kumar Bhatia, AOR  
Mr. Ashutosh Kumar Sharma, Adv.

Mr. Edward Belho, AAG, Nagaland  
Ms. K. Enatoli Sema, Adv.  
Mr. Amit Kumar Singh, Adv.  
Mr. K. Luikang Michael, Adv.  
Mr. Z.H. Isaac Haiding, Adv.

Ms. V. Mohana, Sr. Adv.  
Mr. Y.P. Adhyari, Adv.  
Ms. Rashmi Malhotra, Adv.

Mr. Amit Mohan Meharia, Adv.  
Mrs. Tannishtha Singh, Adv.  
Ms. Aishwarya Kumar, Adv.  
for M/s. Meharia & Company, AOR

Mr. Bhupesh Narula, Adv.  
Mr. K.V. Jagdishvaran, Adv.  
Mrs. G. Indira, Adv.

Mr. Shuvodeep Roy, Adv.  
Mr. Sayooj Mohandas, Adv.

Mr. M. Shoeb Alam, AOR  
Ms. Fauzia Shakil, Adv.  
Mr. Ujjwal Singh, Adv.  
Mr. Mojahid Karim Khan, Adv.

Mr. V.G. Pragasam, AOR  
Mr. S. Prabu Ramasubramanian, Adv.  
Mr. S. Manuraj, Adv.

Mr. Gopal Singh, AOR  
Mr. Rituraj Biswas, Adv.

Mr. Devadatt Kamat, AAG, Karnataka  
Mr. Joseph Aristotle S., Adv.  
Mrs. Priya Aristotle, Adv.  
Mr. Rajesh Inamdar, Adv.  
Mr. Ashish Yadav, Adv.  
Mr. Javedur Rehman, Adv.  
Mr. Aditya Bhat, Adv.

Mr. K.V. Vijayakumar, AOR  
Ms. Maitreyee Mishra, Adv.

Mr. Sanjay Kapur, AOR  
Ms. Mansi Kapur, Adv.  
Ms. Megha Karnwal, Adv.  
Ms. Shubhra Kapur, Adv.

Mr. K.N. Madhusoodhanan, Adv.  
Ms. Nitya Madhusoodhanan, Adv.  
Mr. T.G.N. Nair, Adv.

Ms. Aruna Mathur, Adv.  
Mr. Avneesh Arputham, Adv.  
Ms. Anuradha Arputham, Adv.  
Ms. Simran Jeet, Adv.  
for M/s. Arputham Aruna And Co, AOR

Mr. S. Udaya Kumar Sagar, AOR  
Mr. Mrityunjai Singh, Adv.

Mr. Anil Grover, AAG, Haryana  
Mr. Shivam Kumar, Adv.  
Mr. Sanjay Kumar Visen, AOR

Mr. L.D. Joshi, Adv.

Mr. Gopal Sankaranarayanan, Adv.  
Ms. Savita Singh, AOR  
Mr. Shanu Agrawal, Adv.  
Mr. Shrutanjay Bhardwaj, Adv.  
Ms. Veera Mahuli, Adv.

M/s. Lawyer S Knit & Co, AOR  
Mr. Milind Kumar, AOR  
Ms. Aishwarya Bhati, AOR  
Mr. Dinkar Kalra, AOR  
Ms. Rashmi Singhania, AOR  
Mr. Mohit D. Ram, AOR  
Mr. Jayant Mohan, AOR  
Mr. Nishant Ramakantrao Katneshwarkar, AOR  
Mr. T.G. Narayanan Nair, AOR  
Mr. Jagjit Singh Chhabra, AOR

Mr. Abhinav Mukerji, AOR  
Mr. Mishra Saurabh, AOR  
Mr. Manish Vashishtha, AOR  
Ms. Ruchi Kohli, AOR  
M/s. Corporate Law Group, AOR  
Mr. Aniruddha P. Mayee, AOR  
Mr. Garvesh Kabra, AOR  
Mr. Harish Pandey, AOR  
Mrs. Anil Katiyar, AOR  
Mr. Anip Sachthey, AOR  
Ms. Anitha Shenoy, AOR  
Intervenor-in-person, AOR  
Mr. Amit Sharma, AOR  
Applicant-in-person, AOR  
Mr. Jogy Scaria, AOR  
Mr. Rabin Majumder, AOR  
M/s. Khaitan & Co., AOR  
Mr. Harsh Kaushik, AOR  
Mr. K.R. Sasiprabhu, AOR  
Mr. M. P. Vinod, AOR

Mr. Koshy John, Adv.  
Mr. Md. Nizam Pasha, Adv.  
Ms. Anusha Nagarajan, Adv.  
Mr. Adit Pujari, Adv.  
Mrs. Pragya Baghel, AOR  
Ms. Ranjeeta Rohatgi, Adv.  
Ms. Samten Doma, Adv.

Dr. Lalit Bhasin, Adv.  
Ms. N. Gupta, Adv.  
Mr. Neeraj Redhu, Adv.  
Ms. Palak Chadha, Adv.  
Mr. Mudit Sharma, AOR

Mr. Saikrishna Rajgopal, Adv.  
Ms. Julien George, Adv.  
Ms. Arundhati Gopal, Adv.  
Mr. Arjun Ranganathan, Adv.  
Ms. Vaneesha Jain, Adv.  
Mr. Nikhil Nayyar, Adv.

Mr. P.V. Surendra Nath, Sr. Adv.  
Ms. Resmitha R. Chandran, Adv.  
Ms. Lekha Sudhakaran, Adv.

Mr. Syed Jafar Alam, Adv.  
Ms. Shivani Khandekar, Adv.

Mr. S. Mukherjee, Adv.  
Mr. Manoj K. Mishra, AOR  
Mr. Umesh Dubey, Adv.



Mr. Sandeep Kumar Dwivedi, Adv.

Ms. Aparna Bhat, Adv.

Mr. Mayank Sapra, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Mr. P. Chidambaram, learned senior counsel appearing for the petitioner in W.P.(C) No. 231/2016 concluded his arguments. Mr. K.V. Viswanathan, learned senior counsel for the petitioner in W.P.(C) No. 833/2013, who has commenced his arguments has assured that he will finish his arguments by 1.00 p.m. tomorrow.

Mr. Arvind Datar, learned senior counsel has brought to our notice that a set of Rules, namely, the Passports (1<sup>st</sup> Amendment) Rules, 2018 has been introduced which has conceived of Passport under "Tatkal" Scheme. There has been a distinction between the earlier one and the present one. Mr. Arvind Datar and Mr. Shyam Divan, learned senior counsel appearing for the petitioners submitted that the interim order passed by this Court on 15.12.2017 should be extended, and also it should cover the arena relating to the grant of Passports. On a query being made, Mr. K.K. Venugopal, learned Attorney General for India submitted that this Court may think of extending the interim order. However, the benefits, subsidies and services

covered under Section 7 of the The Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 should remain undisturbed. We accept the same.

Having heard learned counsel for the parties, we accept the submission made by the learned Attorney General. Subject to that, we direct that the interim order passed on 15.12.2017 shall stand extended till the matter is finally heard and the judgment is pronounced. That apart, the directions issued in the interim order shall apply as stated in paragraphs 11 to 13 in the said order. For the sake of clarity, we reproduce the said paragraphs which read as under:-

“11. In terms of (iii) above, subject to the submission of the details in regard to the filing of an application for an Aadhaar card and the furnishing of the application number to the account opening bank, we likewise extend the last date for the completion of the process of Aadhaar linking of new bank accounts to 31 March 2018.

12. In terms of (iv) above we extend the date for the completion of the E-KYC process in respect of mobile phone subscribers until 31 March 2018.

13. Consistent with the above directions, we also direct that the extension of the last date for Aadhar linkage to 31 March 2018 shall apply, besides the schemes of the Ministries/Departments of the Union government to all state governments

in similar terms. As a consequence of the extension of the deadline to 31 March 2018, it is ordered accordingly."

It is also directed that the same shall also control and govern the Passports (1<sup>st</sup> Amendment) Rules, 2018.

Let the matter be listed tomorrow (14.3.2018).

(Deepak Guglani)  
Court Master

(H.S. Parasher)  
Assistant Registrar